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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder) Dkt. No.: 8404.003
Serial No.: 10/690,452)
Filed: October 21, 2003) Examiner: J. Gellner
) Art Unit: 3643

For: CONICAL FLORAL SLEEVE

MAIL STOP - FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

Kathryn L. Hester, Ph.D., having a mailing address of P.O. Box 16370, Oklahoma City, Oklahoma 73113, in the County of Oklahoma and the State of Oklahoma, represents that she is an authorized attorney or agent of record and thus authorized to sign on behalf of the Petitioner/Assignee.

11/19/2004 AWONDAF1 00000023 10690452

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The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to **said U.S. Patent No. 6,591,549, issued on July 15, 2003, assignment recorded on October 23, 2000, Reel 011181, Frame 0233.**

The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to **said U.S. Serial No. 10/280,016, filed on October 23, 2003, assignment recorded on February 5, 2003, Reel 013744, Frame 0016.**

The Family Trust U/T/A dated December 8, 1995, owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, **U.S. Serial No. 10/690,452**, filed October 21, 2003, assignment recorded on October 23, 2000, Reel 011181, Frame 0233.

The assignment documents relating to **U.S. Patent No. 6,591,549**, to **U.S. Serial No. 10/280,016** and to the above-identified application **U.S. Serial No. 10/690,452** have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Petitioner/Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of **said U.S.**

Patent No. 6,591,549, and to patent granted on **U.S. Serial No. 10/280,016**.

Petitioner/Assignee further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to **said U.S. Patent No. 6,591,549**, and to any patent granted on **U.S. Serial No. 10/280,016**.

This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner/Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimers of **said U.S. Patent No. 6,591,549**, and to any patent granted on **U.S. Serial No. 10/280,016** in the event that **said U.S. Patent No. 6,591,549**, or any patent granted on **U.S. Serial No. 10/280,016** later: (1) expire for failure to pay a maintenance fee; (2) are held unenforceable or are found invalid by a court of competent jurisdiction; (3) are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) have all claims canceled by a reexamination certificate; (5) are reissued; or (6) are otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the

expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11-16-04

(Date)



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